

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Social Welfare – Land Acquisition –Mahabubnagar District – Nadimpally (Village), Achampet (M), - Acquisition of land to an extent of Ac.10.14 Gts in. Sy.No.303 for providing house sites to the weaker section's people – Sanction of Rs.6,43,283/- towards balance decretal charges, as per the orders of the Hon'ble High Court, in AS.No.1313/2005 in O.P.No. 360/96 - Orders – Issued.

SOCIAL WELFARE (LA.2) DEPARTMENT

G.O. Rt. No. 705

Dated: 21.08.2010.

Read the following:

1. From the District Collector Mahabubnagar Lr.No.G2/54/2008, dated 01.10.2008.
2. From the CSW, AP., Hyderabad Lr.No. LA2/11022/2008, dated 17.11.2008.
3. From the Chief Commissioner of Land Administration, AP, Hyderabad, Lr. No. G1/1729/2008, Dated.31/07/2009.

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ORDER:

In the reference 3rd read above, the Chief Commissioner of Land Administration, AP, Hyderabad has stated that LAO/RDO, Nagarkurnool has acquired land to an extent of Ac 10.14 Gts in Sy.No. 303 situated in Nadimpally, (V) Achampet, Mandal. The Land Acquisition Officer has passed award on 05.10.1996 in file No. B/4914/95 duly fixing the market value @ Rs. 8,500/- per acre. Aggrieved by the decision of Land Acquisition Officer, the land holder has filed a petition U/s 18 of L.A Act and the matter was referred to Sr. Civil Judge, Nagarkurnool in O.P. No. 360/96. The Subordinate Judge, Nagarkurnool has delivered a judgment in O.P. No. 360/96 on 25.04.05 by fixing the market value of area covered by acquisition as Rs. 25,000/- per acre. The LAO filed an appeal in the Hon'ble High Court of AP and the appeal which was registered as appeal suit No. 1313/2005 was disposed off on 21.06.2007 confirming the orders of Lower Court. The Hon'ble High Court of AP issued orders to pay interest on 30% Solatium also in addition to market value. The Govt., Pleader for Appeals A.P., High Court has opined that 'the Judgment rendered by the divisional bench of the Hon'ble High Court is a well considered judgment and do not find any merits to prefer an appeal before the Supreme Court. Accordingly The Dist. Collector, Mahabubnagar has furnished proposals along with calculation sheet for sanction of Rs.6,37,295/-. The CCLA has further stated that the Commissioner Legal Affairs has opined that the appeal was dismissed by the High court on 21.6.2007 stating that the enhancement of compensation to Rs.25,000/- per acre by the reference court is not at all high. Thus neither there is time nor merits to prefer further appeal

2. The CCLA., AP., Hyderabad, after scrutiny of the proposal along with the calculation sheet furnished by the Collector, Mahabubnagar District, has forwarded to the Govt, for sanction of Rs. 6,43,283/- towards balance decretal charges in AS.No. AS.No.1313/2005 in O.P.No. 360/96 for the land acquired to an extent of Ac 10.14 Gts in Sy.No. 303 situated in Nadimpally, (V) Achampet, Mandal., of Mahabubnagar District, for providing house sites to the weaker sections people

3. After careful examination of the matter, Government hereby accord sanction to the Commissioner of Social Welfare, AP, Hyderabad for release of an amount of Rs. . 6,43,283/- (Rupees six lakhs forty three thousand two hundred and eighty three only) to the District Collector, Mahabubnagar towards payment of balance of decretal charges, as per orders of the Hon'ble High Court dated 21.06.2007 in AS.No.1313/2005 in O.P.No. 360/96 in respect of the land acquired to an extent of Ac 10.14 Gts in Sy.No. 303 situated in Nadimpally, (V) Achampet, Mandal., of Mahabubnagar District, for providing of house sites to the weaker section's people.

PTO

4. The amount of expenditure sanctioned in para (3) above shall be met within the B.E. 2010-11 and debited to the following Head of Account:

“2225- Welfare of Scheduled Castes, Scheduled Tribes and other Backward Classes - 01- Welfare of Scheduled Castes – M.H.283 - Housing - G.H.11-Normal State Plan - SH(08) Acquisition of House sites for weaker sections under Indiramma Programme - 310/312 – other Grants-in-Aid” .

5. The Commissioner of Social Welfare, A.P., Hyderabad, is directed to issue necessary proceedings to the District Collector, Mahabubnagar to comply with the Court orders.

6. The District Collector, Mahabubnagar shall verify the calculation sheet submitted by the Land Acquisition Officer once again, before issue of proceedings for releasing the amount. If any discrepancy/excess claim is found in the calculation sheet in future, the Land Acquisition Officer shall be held solely responsible.

7. This order does not require the concurrence of Finance (Expr.SW) Department, as per their instructions issued vide their U.O Note No12869/196/A1/Esp.SW/2009, dated 22.5.2009 and U.O No.15926/256/A1/Expr.Sw/09, dated 17.8.2009..

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

J. RAYMOND PETER
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration, AP, Hyderabad.
The Commissioner of Social Welfare, A.P., Hyderabad.
The District Collector, Mahabubnagar District..
Copy to:
The Director of Treasuries & Accounts, A.P. Hyderabad.
The Accountant General, A.P., Hyderabad
The District Treasury Officer, Mahabubnagar District.
Finance (Exp.SW/BG) Department.
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER